



# TOWN OF EAST HAMPTON

300 Pantigo Place – Suite 105  
East Hampton, New York 11937-2684

Planning Department  
Marguerite Wolffsohn  
Director

Telephone (631) 324-2178  
Fax (631) 324-1476

## SITE PLAN INITIAL EVALUATION Bostwick's Chowder House Walk-In Cooler – Site Plan SCTM#300-188-1-18

Prepared by: Eric Schantz *ES*  
Senior Planner *mw*

Date: April 7, 2016

### 1. APPLICATION INFORMATION

- A. INFORMATION RECEIVED:** 03/15/16 Applicant submission; cover letter; 1 Original & 9 copies of Site Plan application/EAF Part I/Short EAF; 10 prints of Site Plan, dated revised 03/23/15; 10 sets of Walk-In Refrigerator Spec. Sheet, stamped received 03/15/16.
- B. DATE SUBMITTED:** March 15, 2016
- C. OWNER:** 277 Pantigo Rd, LLC
- D. APPLICANT/AGENT:** Denise R. Schoen, Esq.
- E. SCHOOL DISTRICT:** East Hampton
- F. STREET NAME:** 277 Pantigo Rd.
- G. TYPE OF STREET:** State
- H. ZONING DISTRICT:** A:Residence w/ Limited Business Overlay
- I. SEQRA - TYPE OF ACTION:** Type II
- J. INVOLVED AGENCIES:** N/A
- K. OTHER REVIEW:** Architectural Review Board (ARB), Town Engineer, Fire Marshal's Office

### 2. DESCRIPTION OF PROJECT

- A. PROPOSED USE(S) AS CLASSIFIED BY TOWN CODE:** No change from existing
- B. EXISTING USE(S) AS CLASSIFIED BY TOWN CODE:** Fast Food Restaurant
- C. ARE THE EXISTING & PROPOSED USES PERMITTED OR SPECIAL PERMITTED BY THE TOWN CODE?** Prohibited (legally pre-existing, non-conforming)
- D. AREA OF PARCEL (SQUARE FEET):** 24,898
- E. MOST RECENT CERTIFICATE OF OCCUPANCY:** 3/17/14-

C.O.129222(3184,8951,11895,40170,52379,52695,56545) - 277 PANTIGO ROAD, LLC - ONE-STORY, FRAME, GROUP "A2" FAST FOOD RESTAURANT; WITH 1749 SQ. FT. INTERIOR ALTERATION; PRE-FABRICATED FIREPLACE, NEW STRUCTURAL ROOF IN PLACE OF CANVAS; AND 120 SQ. FT. METAL SHED.

- F. **DESCRIPTION OF EXISTING STRUCTURES:** 1,749 sq ft. fast food restaurant, 120 sq ft. metal shed, loose stone patio, parking, exterior lighting, signs
- G. **DESCRIPTION OF PROPOSED STRUCTURES:** 8' X 12' (96 sq. ft.) walk-in cooler
- H. **EXISTING & PROPOSED LOT COVERAGE:** 9%, 10%
- I. **EXISTING & PROPOSED TOTAL COVERAGE:** 69%, 69%
- J. **HEIGHT OF PROPOSED STRUCTURES:** 7'
- K. **NUMBER OF STORIES OF PROPOSED STRUCTURES:** 1
- L. **NUMBER OF EXISTING PARKING SPACES:** Information not provided
- M. **NUMBER OF PARKING SPACES REQUIRED:** Property is grandfathered as legally pre-existing, non-conforming use (current Code requirement for fast food restaurant: 10 per cash register plus 1 per 3 permanent seats and 1 per employee plus; a 6-space queuing line for drive-in window (N/A))
- N. **TOTAL PARKING SPACES PROVIDED:** Information not provided
- O. **VARIANCES REQUIRED:** To be determined
- P. **DOES EXISTING & PROPOSED LIGHTING COMPLY WITH BOARD POLICY?** Existing: yes & no. No additional lighting proposed.
- Q. **DISTANCE TO PUBLIC WATER:** @ Pantigo Rd.
- R. **SOURCE OF WATER SUPPLY:** Public
- S. **METHOD OF WASTE DISPOSAL:** Individual Sanitary System
- T. **DO SANITARY CALCULATIONS COMPLY WITH SCDHS STANDARDS?** Information not provided
- U. **NUMBER OF ACCESS POINTS:** 2: One at Pantigo, One at Maple
- V. **IS SIGHT DISTANCE ACCEPTABLE?** To be determined by Town Engineer (no change proposed)

3. **SUBMISSION REQUIREMENTS PURSUANT TO CHAPTER 255 (LIST ITEMS AND SECTION FOR THOSE ITEMS NOT SUBMITTED)**

- A revised site plan containing the following information:
  - Proper title as per the application form: "Bostwick's Chowder House Walk-In Cooler Site Plan"
  - Illustration of the existing location and configuration of parking spaces.
  - Parking calculations (required: based on the requirement for a "fast food restaurant", existing, proposed (no change as per application))
  - Sanitary calculations (based upon the number of seats)
- An updated seating chart showing number of table, bar and outdoor seating.

**4. SITE ANALYSIS:**

- A. SOIL TYPE:** PsA: Plymouth loamy sand (0-3%), BgB: Bridgehampton silt loam (2 – 6%)
- B. FLOOD HAZARD ZONE:** X
- C. DESCRIPTION OF VEGETATION:** 100% cleared of natural vegetation
- D. RANGE OF ELEVATIONS:** ~50' – 46' AMSL
- E. NATURE OF SLOPES:** Flat to gentle
- F. TYPE OF WETLANDS WITHIN NRSP JURISDICTION:** None
- G. SETBACK FROM ANY WETLAND OR WATER BODY:** N/A
- H. ARE THERE TRAILS ON SITE?** No
- I. DEPTH TO WATER TABLE:** >17' as per test hole
- J. DOES THE SITE CONTAIN HISTORIC OR ARCHAEOLOGICAL RESOURCES?** None have been identified
- K. IS THE SITE CONTAINED WITHIN:**

NYS Significant Coastal Fish & Wildlife Habitat	No
Local Significant Coastal Fish & Wildlife Habitat	No
US Fish & Wildlife Significant Ecological Complex	No
PEP CLPS list	No
Town Community Preservation Fund List	No
Recommended Scenic Area of Statewide Significance	No
Suffolk County designated Pine Barrens	No
South Fork Special Groundwater Protection Area	No
Town Overlay District	LBO

**Other Background Information:**

Application has been made to add a 96 sq. ft. walk-in cooler on a site containing a legally pre-existing, non-conforming fast food restaurant use within the A:Residence zoning district and within the Limited Business Overlay District.

The parcel is situated on the corner of Pantigo Rd. and Maple Lane in East Hampton. It is roughly ½ acre in size. It contains various improvements such as access lanes, parking, exterior lighting, a loose stone patio, a small metal shed, etc. It appears that all of these improvements are covered under the most recently issued certificate of occupancy (see above).

**Issues for Discussion:**

**Nature of Application**

The applicants are proposing to add an accessory structure which would be used in conjunction with a non-conforming use. The Planning Department is unsure at this time based upon previous Building Inspector determinations whether or not this would constitute the expansion of a non-conforming use. We recommend that the Board send a formal written request to the Principal Building Inspector for a determination of this issue.

**Site Plan Elements**

All site plan elements listed in Part 3 above should be added to the site plan for the next submission.

**Town Engineer**

The Board should read the comments of the Town Engineer, should they be available.

**Architectural Review Board (ARB) & Building Design**

The application has been referred to the ARB and comments are pending.

**Accessory Structures**

A site inspection on April 7, 2016 reveals that there are numerous accessory structures scattered around the property, particularly in the area near the rear of the principal building and along the northern property line, which borders a residence (see photographs). These include multiple storage bins and a trailer. If these structures are proposed as part of the subject site plan then they should be added to a revised site plan at this time or removed from the property.



**Northwest corner of the subject property**





**Northern property line**



**Area behind the principal building**

**Conclusion**

In conclusion, the application is incomplete pending the resolution of the aforementioned issues and the submission of the required items.

ES

**Planning Board Consensus**

*Should a determination request be sent to the Principal Building Inspector as to whether or not the project represents a prohibited expansion of a non-conforming use?*

Additional comments: \_\_\_\_\_  
\_\_\_\_\_

*Should the elements enumerated in Part 3 of this memo be submitted?*

Additional comments: \_\_\_\_\_  
\_\_\_\_\_

**Additional Board Comments:**

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